



**AGENDA**  
**FRANKLIN COUNTY BOARD OF SUPERVISORS**  
**TUESDAY, JANUARY 20, 2015**

- 1:30 P.M. Call To Order, Chairman Cline Brubaker
- 1:31 Invocation, Supervisor Bobby Thompson
- 1:32 Pledge of Allegiance, Supervisor Bob Camicia
- 1:33 Tim Baker, Environmental Health Manager, Sr.  
West Piedmont Health District  
✚ Marvin Woods - 2014 A. Clarke Slaymaker Award
- 1:36 Introduction of Alison Barry, Library Director
- 1:37 Public Comment
- Jim Atkins - Mountain Valley Pipeline
  - Duane Davis - Middle School Practicing Facility
- 1:43 CONSENT AGENDA (**REQUIRES ACTION**)
- REF: 1. Approval of Accounts Payable Listing, Appropriations,  
and Minutes for December 16, 2014, January 5, 9 & 12,  
2015
2. Parks & Recreation Vehicle Request (**See Attachment #2**)
3. Building Inspection Department Vehicle Request (**See Attachment #4**)
4. 2015 Red Truck Event Permit (**See Attachment #7**)
- 1:50 Vincent Copenhaver, Director of Finance
- REF: 1. Monthly Finance Report
2. Revenue Projections
- 2:00 John S. D'Orazio, CEO, Roanoke Gas
- REF: 1. Local Distribution Opportunities for Natural Gas
- 2:20 Richard E. Huff, II, County Administrator
- REF: 1. Board's Rules of Procedure (**See Attachment #3**)
2. Other Matters
- 2:30 Other Matters by Supervisors
- 2:35 Preliminary Budget Worksession

RICHARD E. HUFF II  
COUNTY ADMINISTRATOR  
1255 FRANKLIN STREET, SUITE 112  
ROCKY MOUNT, VIRGINIA 24151  
(540) 483-3030  
[www.franklincountyva.gov](http://www.franklincountyva.gov)

4:00 Request for Closed Meeting in Accordance with 2.2-3711, a-1, Personnel, a-3, Acquisition of Land, and a-5, Discussion of a Prospective New Business or Industry, or of Expansion of an Existing One, Code of Virginia, as Amended.

*Certification of Closed Meeting in Accordance with 2.2-3712 (d), of the Code of Virginia, as Amended.*

**APPOINTMENTS:**

Ferrum Water & Sewer Authority Terms Expire 2/1/2015  
**(See Attachment #1)**

Recess for Dinner

6:00 Call To Order, Chairman Cline Brubaker

6:01 Recess for Previously Advertised Public Hearings as Follows:

**PETITION FOR SPECIAL USE** - Petition of Kenneth J. LaBrake, Petitioner/Kenneth J. LaBrake and Valerie A. LaBrake, Owners, requesting a Special Use Permit for a "home - second single-family detached dwelling on a lot," for a +/- 2.449 acre parcel currently zoned RC-1, Residential Combined Subdivision District. The subject property is located at 1110 Mallard Point Road (SR665) in the Gills Creek District of Franklin County, and is further identified as Tax Map/Parcel #0470302000. The Future Land Use Map of the Comprehensive Plan of Franklin County identifies this area as appropriate for Low Density Residential uses, with a recommended density range of one to two dwelling units per acre. The RC-1 zoning district allows for a range of residential densities with a maximum of 5.8 units per acre if served by public water and sewer. The subject petition would result in a residential density of 0.817 dwelling units per acre. (Case # SPEC-10-14-13462) **(See Attachment #5)**

**PETITION FOR SPECIAL USE** - Petition of Michael Mazeika, Edward Mazeika, & Theresa Mazeika; Petitioners and Contract Purchaser/Queens View LLC, Owner requesting a Special Use Permit for a "storage yard" on a +/- 3.25 acre portion of a +/- 64.247-acre parcel, located at 14374 Booker T. Washington Hwy (SR 122) in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate records as Tax Map/Parcel # 0150006400. The subject property is zoned A-1, Agricultural District, which allows a maximum residential density of 1.25 dwelling units per acre. The Future Land Use Map of the Franklin County Comprehensive Plan identifies this area as appropriate for Medium Density Residential uses, with an anticipated residential density of two to four dwelling units per acre. This petition for a Special Use Permit would not result in any additional dwelling units, nor any increase of residential density for this property. (Case # SPEC-10-14-13467) **(See Attachment #6)**

*Adjournment Thereafter*

**RISE & SHINE GUESTS FOR JANUARY ARE BOB CAMICIA & RICK**

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**FERRUM WATER & SEWER AUTHORITY  
4 YEAR TERMS  
AS OF 12-17-2014**

The Ferrum Water and Sewage Authority Board of Directors consist of five members appointed by the Franklin County Board of Supervisors. The Board of Directors meets monthly on the second Thursday of the month. The purpose of the Board is to act as the governing body of the Authority, pursuant to State and Federal laws and regulations.

Roger Houchins  
288 Nolen's Hill Road  
Ferrum, Virginia 24088

2/1/2015

Charles Catlett  
Project Manager  
1255 Franklin Street, Suite 103  
Rocky Mount, Virginia 24151

2/1/2015

Jeff Gring  
422 Willow Creek Road  
Rocky Mount, Virginia 24151

2/1/2015

Joseph Edward Greer  
247 Five Mile Mountain Road  
Callaway, Virginia 24067  
483-1561

2/1/2015

Vicki Cook (Unexpired term of Daryl Spencer 9/18/2012)  
1406 Swenfield Road  
Callaway, Virginia 24067

2/1/2015

Barbara Hatcher  
Secretary  
C/O Ferrum College  
Post Office Box 40  
Ferrum, VA 24088  
365-2193

J. J. Keith, Plant Manager  
Ferrum Water Commission  
Post Office Box 40  
Ferrum, VA 24088  
365-2193

[ferrumwaterandsewer@embarqmail.com](mailto:ferrumwaterandsewer@embarqmail.com)

ferrumwater/commission

**FRANKLIN COUNTY**  
Board of Supervisors



**EXECUTIVE SUMMARY**

**AGENDA TITLE:**

Parks and Recreation Vehicle

**AGENDA DATE:**

January 20, 2015

**ITEM NUMBER:**

**SUBJECT/PROPOSAL/REQUEST**

Request Board approval to purchase state contract pick-up truck.

**ACTION:**

**CONSENT AGENDA:** YES

**STAFF CONTACT(S):**

Huff, Whitlow, Chapman, Thurman

**ACTION:**

**ATTACHMENTS:**

**REVIEWED BY:** *REH*

**BACKGROUND:**

The Franklin County Parks and Recreation Department maintains public park properties throughout the County. The Parks and Recreation Department currently manages nine parks with six baseball fields, ten rectangular fields, six playgrounds, seven picnic shelters, a swimming beach and numerous miles of trails and blueways. Thanks to the support of the Board of Supervisors, staff members are able to maintain high quality parks for our citizens to enjoy. Various equipment (mowers, tractor, trucks, etc.) support the ongoing maintenance of County Parks.

**DISCUSSION**

One of the most heavily utilized and depended upon vehicles in Parks and Recreation's fleet has been exhibiting increasing signs of engine wear. This vehicle is used on a daily basis to maintain the Franklin County Recreation Park, King Park, LARC field, Lynch Park, the Rocky Mount Rotary Skate Park, and Snow Creek Field. This vehicle is used for towing a trailer with heavy mowers and maintenance equipment.

**Current Vehicle**

Make / Model: Chevrolet 3500

Year: 2000

Mileage: 206,734

Condition: Vehicle is beginning to make engine noises, especially under a load.

The vehicle's age and condition necessitates replacement as set forth in and meeting the guidelines of the County Vehicle Policy. The existing truck will be kept as a spare and used for seasonal fluctuations in work such as snow removal at this time.

**RECOMMENDATION:**

Staff respectfully requests the Board to approve and authorize staff to purchase a replacement truck from State Contract (Ford F250 4WD) in an amount of \$26,631.16 (Contract #E194-49800), whereby funding for this vehicle was previously budgeted, is currently available, and hereby appropriated from the Parks "Recreation Maintenance Equipment" capital account (#30300013 57001).

Requester: PAUL CHASMAN

Date submitted: 12/12/14

## NEW VEHICLE/REPLACEMENT VEHICLE REQUEST FORM



DEPARTMENT (AND WHOM) VEHICLE IS TO BE ASSIGNED TO: PARKS AND RECREATION / RICKY MARTIN.

REASON FOR REQUEST: EXCESSIVE MILEAGE AND ENGINE NOISES WHILE UNDER LOAD

DATE VEHICLE IS TO BE PURCHASED/REPLACED: UPON APPROVAL

FUNDING SOURCE (ACCOUNT#, ETC.): RECREATION MAINTENANCE EQUIPMENT: 30300013-57001

FUNDS VERIFIED BY FINANCE ON: 12/12/14

VEHICLE TO BE PURCHASED BY STATE CONTRACT? X YES ☐ NO

IF NO, HOW WILL THE VEHICLE BE PURCHASED?

IS THIS A PROJECTED PURCHASE? ? ☐ YES X NO IF SO, WHICH MONTH?

### PROPOSED NEW VEHICLE INFORMATION:

YEAR: 2015 MAKE: FORD MODEL: F250

### VEHICLE BEING REPLACED INFORMATION:

YEAR: 2000 TITLE #: 93210470 MILEAGE#: 206,734

MAKE: CHEVROLET MODEL: 3500 VIN#: 1GCHK39R1YF422092

WILL THIS VEHICLE BE SURPLUS OR USED AS A SPARE? ☐ SURPLUS X SPARE ☐ OTHER:

WHERE ARE THE KEYS & LICENSE PLATES FOR THIS VEHICLE? PARKS AND RECREATION DEPARTMENT

CONDITION OF OLD VEHICLE: ☐ EXCELLENT ☐ GOOD ☐ FAIR X POOR ☐ JUNKED/PARTS

DISPOSAL OF OLD VEHICLE: ☐ AUCTION ☐ GOVDEALS ☐ TOTALED/INSURANCE X SPARE

### ADDITIONAL INFORMATION

Vehicle is used on a daily basis and is one of the most utilized and depended upon vehicles in Parks and Recreation's fleet. This vehicle is used by staff person(s) that maintain the Recreational Park, King Park, LARC field, Lynch Park, the Rocky Mount Rotary Skate Park, and Snow Creek Field.

Request that the vehicle is kept as a "spare" and used for seasonal fluctuations in work such as snow removal. This vehicle is equipped for a snow plow and will allow additional personal to assist with snow removal

COPIES AFTER FINAL EXECUTION TO: Mike Thurman and Connie Stanley

Requester: PAUL CHAPMAN

Date submitted: 12/12/14

**OFFICE USE ONLY:**

REQUEST APPROVED BY ADMIN ON: \_\_\_\_-\_\_\_\_-\_\_\_\_

BOS MEETING ON: \_\_\_\_-\_\_\_\_-\_\_\_\_

BOS APPROVED: ☐ YES ☐ NO

KEYS AND LICENSE PLATES TURNED INTO AMANDA CARTER ON: \_\_\_\_-\_\_\_\_-\_\_\_\_ (INITIAL) \_\_\_\_

PURCHASE INVOICE RECEIVED BY FINANCE ON: \_\_\_\_-\_\_\_\_-\_\_\_\_ (INITIAL) \_\_\_\_

ADDED TO INSURANCE : (INITIAL) \_\_\_\_

TITLE RECEIVED: (INITIAL) \_\_\_\_

**NEW VEHICLE INFORMATION:**

TITLE #: \_\_\_\_\_

VIN#: \_\_\_\_\_

MILEAGE: \_\_\_\_\_

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**FRANKLIN COUNTY**  
**Board of Supervisors**



**Franklin County**

*A Natural Setting for Opportunity*

**EXECUTIVE SUMMARY**

**AGENDA TITLE:**

*Proposed Language for the  
Rules of Procedure  
Citizen Comment Period*

**SUBJECT/PROPOSAL/REQUEST**

*Board of Supervisors Rules of Procedure*

**STRATEGIC PLAN FOCUS AREAS:**

Unity:  
Goal #1 Strategic Decision Making  
County Gov't. Services:  
Goal #4 Responsive Interface w/ Citizens

**STAFF CONTACT(S):**

Huff & Mrs. Tudor

**AGENDA DATE:**

*January 20, 2015*

**ITEM NUMBER:**

**ACTION:**            **YES**

**INFORMATION:**

**CONSENT AGENDA:**

**ACTION:**   **YES**

**INFORMATION:**

**ATTACHMENTS:**   **YES**

**REVIEWED BY:**   *REJ*

**BACKGROUND:**

Per general direction from the Board, staff was directed to bring draft verbiage regarding the citizen comment period within the "Rules of Procedure" (as attached). Proposed amended language, was compiled and drafted for the Board's consideration during their regularly scheduled Board meeting for Tuesday, January 20, 2015. These rules of procedure are a compilation of the various Board operational policies established over time. In an effort to provide citizens a formal listing of such operational policies, the "Franklin County Board of Supervisors Rules of Procedure" was drafted and is adopted annually during the Board's Organizational meeting. The proposed amendment to the Citizen Comment Period, is presented for the Board's review and consideration, as follows:

**CITIZEN COMMENT PERIOD**

Any citizen or property owner of the County that wishes to address the Board on any topic may do so by calling the Board Clerk's Office one (1) week in advance of the Board's regular monthly meeting and request that their name and topic be added to the agenda. The citizen will be granted 3 minutes to present their issue and if the Board wishes to schedule further time, may direct staff to place the subject on the next available agenda. Only one person per side (position), per topic will be allowed to speak under the 1:30 P.M. Citizen Comment Period per Meeting and a total time of 15 minutes will be observed. Public Comments will be received by the Board during the 3<sup>rd</sup> Tuesday meeting at 1:30 P.M., and following the last item on the Board's agenda, such time generally being after all evening public hearings. The same guidance for the evening public comment period (as outlined in the 1:30 p.m. afternoon comment period) shall be observed with the exception of the 15 minute total time limit. The Chairman retains the ability, or at the request of a majority of the Board, to waive any of the public comment provisions where appropriate. (*Amended/Resolution # 21-06-2006 & # 07-01-2007 & -01-2015*)

**RECOMMENDATION:**

Staff respectfully requests the Board's consideration in adopting the Rules of Procedure as presented which also includes the amendment to #4 regarding the Chair making motions.

**CITIZEN COMMENT PERIOD WITH PROPOSED CHANGES**

Any citizen or property owner of the County that wishes to address the Board on any topic may do so by calling the Board Clerk's Office one (1) week in advance of the Board's regular monthly meeting and request that their name and topic be added to the agenda. The citizen will be granted 3 minutes to present their issue and if the Board wishes to schedule further time, may direct staff to place the subject on the next available agenda. Only one person per side (position), per topic will be allowed to speak under the 1:30 P.M. Citizen Comment Period per Meeting and a total time of 15 minutes will be observed. Public Comments will be received by the Board during the 3<sup>rd</sup> Tuesday meeting at 1:30 P.M., and following the last item on the Board's agenda, such time generally being after all evening public hearings. The same guidance for the evening public comment period (as outlined in the 1:30 p.m. afternoon comment period) shall be observed with the exception of the 15 minute total time limit. The Chairman retains the ability, or at the request of a majority of the Board, to waive any of the public comment provisions where appropriate.

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR ORGANIZATIONAL MEETING ON MONDAY, JANUARY 5, 2015 AT 4:00 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM LOCATED IN THE GOVERNMENT CENTER, 1255 FRANKLIN STREET, SUITE 104, ROCKY MOUNT, VIRGINIA.

THERE WERE PRESENT:

Cline Brubaker, Chairman  
Charles Wagner, Vice-Chairman  
C. B. Reynolds  
Bob Camicia  
Ronnie Thompson  
Leland Mitchell  
Bobby Thompson

OTHERS PRESENT:

Richard E. Huff, II, County Administrator  
Christopher Whitlow, Asst. Co. Administrator  
Sharon K. Tudor, MMC, Clerk

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**BOARD RULES OF PROCEDURE**

**FRANKLIN COUNTY BOARD OF SUPERVISORS  
RULES OF PROCEDURE**

The following Rules of Procedure are adopted by the Franklin County Board of Supervisors to enable the Board to discharge its duties and responsibilities effectively and efficiently and to facilitate the exercise of its authority and powers in the Code of Virginia. It is the Board's intent to generally follow Robert's Rules of Order (Newly Revised, 10th Edition) unless superseded by state law or *written* Board practice. **(Amended /Resolution #06-01-2012)**

**1. ORGANIZATIONAL MEETING**

The Board shall elect a chairman and vice chairman at the Board's Organizational Meeting to be held on the first business day of January. Terms for chairman and vice chairman shall be for a one (1) year term.

**2. REGULAR MEETINGS**

The Board of Supervisors shall adopt a schedule of the times, dates, and places of its regular meetings, for each calendar year, at its organizational meeting. Should the Board's regular meeting day fall on a County holiday, the meeting will be held on the next business day following the holiday.

**3. SPECIAL MEETINGS**

The Board may hold special meetings by establishing a special meeting date, time, place and an agenda for said meeting at a regular meeting. The Clerk shall post and publish notice of the special meeting in accordance with the Virginia Freedom of Information Act, §2.2-3707 VA Code Ann., not less than three (3) days prior to the day of the special meeting.

A Called Meeting may be convened when called by the chairman or requested by two or more of the members of the board of supervisors. The call or request shall be made to the clerk, and shall specify the matters to be considered at the meeting. Upon receipt of such call or request, the clerk of the governing body, after consultation with the chairman, shall immediately notify each member of the governing body and the attorney for the county in writing delivered in person or to his place of residence or business to attend such meeting at the time and place stated in the notice. Such notice shall specify the matters to be considered at the meeting. No matter not specified in the notice shall be considered at such meeting, unless all members are present. The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

#### **4. VOTING**

Motions properly made cannot die for lack of a second and shall be voted on as though they had been seconded.

Motions by the Chair will be considered without the need to hand the gavel to the Vice Chair.  
**(Adopted 1-5-2015/Resolution)**

#### **5. REQUEST FOR FUNDS OUTSIDE OF NORMAL BUDGET CYCLE**

Whenever any delegation or individual shall make a request or appeal for County funds for the benefit of an outside or non-County agency or program, the following guidelines shall be followed.

##### **A. Budget Preparation Calendar.**

Whenever possible, the request shall be submitted in accordance with the budget preparation calendar.

##### **B. Explanation and Background.**

Any such request shall be accompanied by a brief narrative explanation of the request and background as needed.

##### **C. Carry-over of Requests.**

If it is not possible to utilize the annual budget preparation calendar, the request shall be carried over to the next regular meeting following introduction to the Board.

##### **D. Waiver of Carry-over.**

Waiver of the carry-over period shall be granted if the request is considered an emergency by the majority of the Board, or for any reason if approved unanimously by all Board members.

##### **E. Emergency.**

Emergency is defined as an unforeseen circumstance or combination of circumstances that calls for immediate action to secure and protect the health, safety and general welfare of the inhabitants of Franklin County.

#### **6. CITIZEN COMMENT PERIOD**

Any citizen or property owner of the County that wishes to address the Board on any topic may do so by calling the Board Clerk's Office one (1) week in advance of the Board's regular monthly meeting and request that their name and topic be added to the agenda. The citizen will be granted 3 minutes to present their issue and if the Board wishes to schedule further time, may direct staff to place the subject on the next available agenda. Only one person per side (position), per topic will be allowed to speak under the 1:30 P.M. Citizen Comment Period per Meeting and a total time of 15 minutes will be observed. Public Comments will be received by the Board during the 3<sup>rd</sup> Tuesday meeting at 1:30 P.M., and following the last item on the Board's agenda, such time generally being after all evening public hearings. The same guidance for the evening public comment period (as outlined in the 1:30 p.m. afternoon comment period) shall be observed with the exception of the 15 minute total time limit. The Chairman retains the ability, or at the request of a majority of the Board, to waive any of the public comment provisions where appropriate.  
**(Amended/Resolution # 21-06-2006 & # 07-01-2007 & -01-2015)**

#### **7. MOTIONS TO RECONSIDER**

Motions to reconsider an action by the Board must be made by a member of the Board who previously voted with the prevailing side when the reconsidered motion was originally voted on.

Since a second is not required, any member may second the motion to reconsider and the motion shall be decided by a majority vote of the members present.

## **8. PLACING OF AGENDA ITEMS**

The County Administrator, based on input from the Board, shall develop the agenda for each meeting.

Individual Board members who wish to address the Board on a topic may do so under "Other Matters from Supervisors". If the Board wishes to investigate a topic further, it can direct staff to place the topic on a future agenda, bring back a staff report with the appropriate research, or take action as it see fit. **(Amended/Resolution #07-01-2007)**

## **9. PUBLIC HEARINGS**

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views at public hearings and to treat all speakers equally and with courtesy. While it is often necessary to have a presentation by an applicant or staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations shall be as brief as possible.

Each speaker shall be limited to three minutes unless speaking for a larger group in which case, 5 minutes shall be allotted.

Speakers shall direct their presentations/comments/questions to the Board and not the audience.

## **10. APPOINTMENTS TO BOARDS AND COMMISSIONS**

County staff shall maintain an up to date listing of available vacancies on Boards and Commissions and shall publish such list to the County's web site and make available in the Office of the County Administrator. 60 days in advance of scheduled vacancies, staff shall make the Board aware of upcoming vacancies and shall advertise such vacancies throughout the County. All candidates shall be required to complete a County application to serve on a Board or Commission and applications shall be distributed to the Board as soon as is practical.

### **APPLICATION PROCESS FOR APPOINTMENTS TO BOARDS & COMMISSIONS**

**(Amended/Resolution #07/1/2013)**

- ❖ *Require all interested persons to complete applications as provided by the Clerk's office.*
- ❖ *Clerk then forwards applications for any open positions to the BOS for review.*
- ❖ *Position vacancies and potential candidates are then discussed as a closed session item under personnel.*
- ❖ *Subject to clean background checks, appointments are then made in open session.*
- ❖ *Address only new appointees going forward (i.e. sitting members are grandfathered and will not have to go through the full process of completing another application or background check)*

### **(RESOLUTION #07-01-2015)**

BE IT THEREFORE RESOLVED by the Board to approve staff's recommendation as submitted with noted amendment to item #10/Application Process for Appointments to Boards & Commission.

MOTION BY:

SECONDED BY:

VOTING ON THE AMENDED MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Brubaker, Camicia, Thompson & Cundiff

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Sharon K. Tudor, MMC  
Clerk  
Franklin County Board of Supervisors  
January 20, 2015

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**FRANKLIN COUNTY**  
**Board of Supervisors**



**EXECUTIVE SUMMARY**

**AGENDA TITLE:**

Building Inspections Department Vehicle Replacement

**SUBJECT/PROPOSAL/REQUEST**

Request Board approval to replace one vehicle

**STAFF CONTACT(S):**

Messrs. Huff, Morris, Whitlow, Thurman

**AGENDA DATE:**

January 20, 2015

**ITEM NUMBER:**

**CONSENT AGENDA ACTION:**

**ATTACHMENTS:** Yes

1. REPAIR ESTIMATE
2. KELLEY BLUE BOOK VALUE OF 2003 DODGE NEON

**REVIEWED BY:**

*RAT*

**BACKGROUND:**

Franklin County Building Inspections Department is responsible to perform building construction inspections associated with approved building permits throughout the County. Each inspector travels between 100 and 120 miles each day in order to provide this service.

**DISCUSSION:**

One vehicle needs to be replaced due to major repairs necessary to maintain affordable and reliable service to Franklin County customers. The vehicle to be replaced is a 2003 Dodge Neon with 126,000 miles. While this vehicle is currently under the 150K mile threshold as set forth in the Vehicle Policy replacement guidelines, the vehicle requires major repairs including an inoperable transmission for continued use. This vehicle was determined by a local mechanic to need a transmission replacement, new battery, 4 new tires and a state inspection. Repairs are deemed immediate and necessary to use this vehicle in the Inspections Field. The repair costs, estimated at \$ 1,995.51, exceed the 1,206.00 retail value of the vehicle as seen in the attached estimate and Kelly Blue Book Values. The vehicle's age and condition necessitates replacement at this time.

The replacement vehicle (Ford Explorer) will be the same as another vehicle that was due for replacement and purchased last year via state contract. Such vehicle is working extremely well in the Inspections Field providing increased ground clearance, traction, and durability needed due to the extreme conditions met on the various job sites (i.e. multiple stream crossings, dirt paths, remote locations, and steep grades). The extreme conditions encountered have resulted in numerous repairs to the compact vehicles previously used including the custom fabrication and installation of skid plates protecting the oil pans on the existing compact cars.

The Building Inspection Department will not be increasing its fleet and the funds are budgeted for the purchase.

**RECOMMENDATION:**

Staff respectfully requests the Board to approve and authorize staff to purchase a replacement vehicle (Ford Explorer) from state contract for \$ 25,302.00; including delivery, whereby funds were previously budgeted, are currently available, and hereby appropriated from the Building Inspectors Vehicle Capital Account. (# 300-00220008-7005) accordingly.

Foley's Complete Automotive

779 Tanyard Road  
Rocky Mount, VA 24151

## Estimate

Date	Estimate #
12/30/2014	6

Name / Address
FRANKLIN COUNTY BUILDING INSP

			Project
			2003 NEON
Description	Qty	Rate	Total
BATTERY ASY		107.00	107.00
4 TIRES		324.51	324.51
TOWING		95.00	95.00
State Inspection		16.00	16.00
TRANSMISSION ASY WITH 59,000 MILES (USED)		995.00	995.00
REPLACE TRANSMISSION ASY		455.00	455.00
Sales Tax		5.30%	0.00
		<b>Total</b>	<b>\$1,992.51</b>

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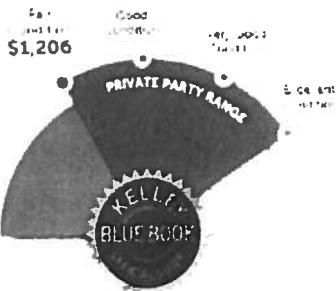
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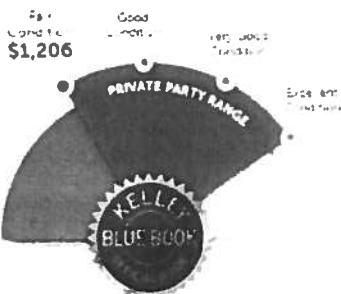
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**MEMORANDUM**

Case # SPEC-10-14-13462



**To:** Franklin County Board of Supervisors  
**From:** Neil Holthouser, Director of Planning & Community Development  
**Date:** January 20, 2015  
**Tax #s:** 47.3-20  
**District:** Gills Creek District  
**Applicant:** Kenneth LaBrake  
**Owners:** Kenneth LaBrake and Valerie A. LaBrake

**REQUEST:**

Petition of **Kenneth J. LaBrake, Petitioner/Kenneth J. LaBrake and Valerie A. LaBrake, Owners**, requesting a Special Use Permit for a "home - second single-family detached dwelling on a lot," for a +/- 2.449 acre parcel currently zoned RC-1, Residential Combined Subdivision District. The subject property is located at 1110 Mallard Point Road (SR665) in the Gills Creek District of Franklin County, and is further identified as Tax Map/Parcel #0470302000. The Future Land Use Map of the Comprehensive Plan of Franklin County identifies this area as appropriate for Low Density Residential uses, with a recommended density range of one to two dwelling units per acre. The RC-1 zoning district allows for a range of residential densities with a maximum of 5.8 units per acre if served by public water and sewer. The subject petition would result in a residential density of 0.817 dwelling units per acre.

**RECOMMENDATION:**

The Planning Commission held a public hearing in consideration of this request at its November 13, 2014, meeting. By vote of 6-0 (Colby absent), the Planning Commission approved the following:

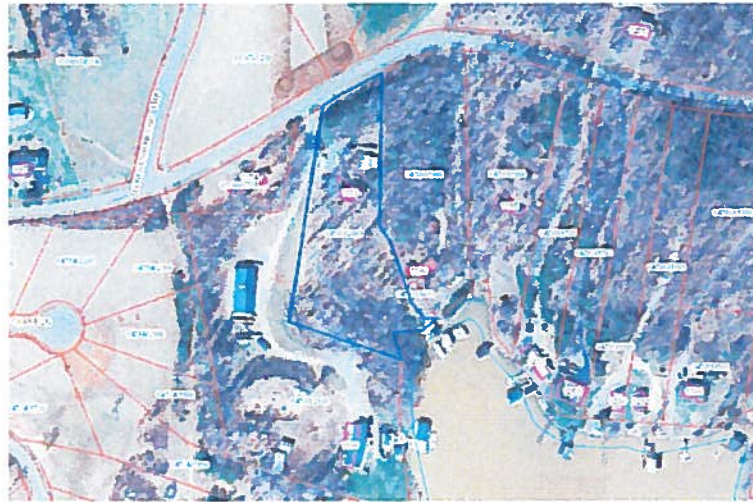
*The Planning Commission recommends that the Board of Supervisors approve this request for Special Use Permit, with the following conditions:*

1. Substantial conformity. In order to establish the use of "home - second single-family detached dwelling on a lot," the site shall be developed in substantial conformity with the concept plan entitled "LaBrake New Second Dwelling," prepared by Kenneth LaBrake, dated October 5, 2014.
2. Limitation of use. A second single-family detached dwelling unit is approved solely for use by immediate family, and shall not be used for the housing needs of non-family members.
3. Method of construction. Not more than one (1) of the dwelling units located on this site may consist of a manufactured home.



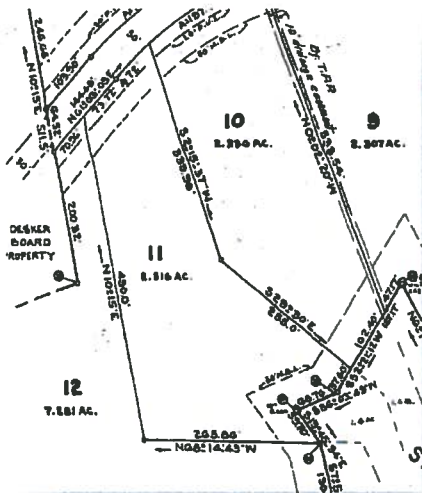
## **BACKGROUND:**

The petitioner requests a Special Use Permit for the purpose of allowing a second single-family dwelling unit for the housing needs of immediate family members. Presently there is one (1) occupied singlewide mobile home on the property. An application for a building permit for the second home has not been submitted at this time; however the applicants have included a rendering of a site-built home with the Special Use Permit application. In order to allow the placement of the second dwelling, a Special Use Permit is required to be issued by the Board of Supervisors under Sections 25-268 and 25-274.



Source: Franklin County GIS

*Aerial View, 1110 Mallard Point Rd*



*Lot 11 Detail from PB 5 P 138*

The aerial view of the parcel shows the residential nature of the area, and is primarily wooded. The property is recorded at PB 5 P 137-139 as Lot 11 Block 1 in Bonaventure Estates subdivision in May 1974 (see detail below).

During the Development Review Committee meeting, Staff received no requests for additional information, questions, or concerns with the application from the representatives of the reviewing agencies.

The application was advertised, posted, and notifications sent to all adjacent property owners. As of the date the staff report was

finalized, this proposal has generated no inquiries from the public. No negative comments have been received.

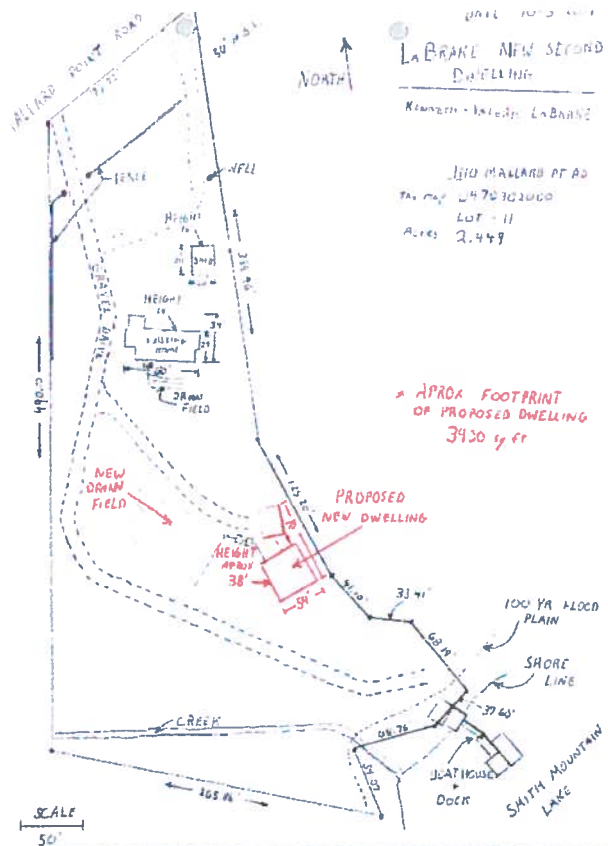
Mallard Point Road [SR 665] is a public road, but the lot contains only 150' of frontage. This limits the possibility of the applicants from being able to subdivide the property into two individual lots outside the family exemption process, and so the Special Use Permit is a practical option to consider. In this case, the density that will result from an approval

of this application (2 dwelling units on 2.449 acres, or 0.817 units per acre) is in accordance with the development policies listed in the Franklin County 2025 Comprehensive Plan for Low Density Residential areas, and is less than the maximum density allowed in the RC-1 District for lots similarly served by private well and septic and fronting on existing secondary roads. This maximum density is calculated at 1.2447 dwelling units per acre (with a minimum lot size of 35,000 square feet). Should the lot be subdivided under the family exemption process, the potential arises for overall density to increase in the future, as the resulting lots may be sold to anyone after a three-year period, and future owners could request a second dwelling on either or both of the resulting lots.

**REQUEST:**

The applicant stated in the submitted documents that there exists one (1) home on the property that the applicants would like to preserve while building a new home closer to Smith Mountain Lake. Mr. LaBrake writes that the family has outgrown the existing residence and that they would like to construct another dwelling. They would like to keep the current home in order to accommodate aging family members in the future.

The concept plan entitled “LaBrake New Second Dwelling,” prepared by Kenneth LaBrake dated October 5, 2014, shows the location of the two dwellings and associated structures, including a dock, fencing, gravel drives and parking areas, two septic fields and the existing well that serves the property. The footprint of the new home is stated to be 3900 square feet. This plan demonstrates that the proposal is able to accommodate a new drainfield serving the new home, and to meet all setbacks set forth in Section 25-272 *Minimum dimensions* for the RC-1 District. The application includes a rendering of the new home design and appears to be a two-storey structure with shingle siding over stone water-table, frame windows, stacked columned front and side porches with standing-seam metal shed roofs, attached garage with clipped gable roof, and the main portion of the house features a cross gable roofline of standing seam metal with an eyebrow dormer, stone chimney, bracketed eaves and door details typical of the bungalow style. This rendering demonstrates the



### Concept Plan



applicant's plans for a site-built or modular home, rather than a second manufactured home on the property.

**SITE STATISTICS:**

*Location:* "Bonaventure Estates," Block 1 Lot 11, addressed as 1110 Mallard Point Road, off of Burnt Chimney Road in the Gills Creek District on Smith Mountain Lake.

*Size:* +/- 2.449 acre

*Existing Land Use:* Residential, Single Family and Manufactured Homes

*Adjoining Zoning:* RC1, Residential Combined Subdivision District

*Adjoining Land Uses:* Residential

*Adj. Future Land Uses:* Low Density Residential

*Geography:* The lot is sloped to gently rolling. Soils are non-hydric Clifford fine sandy loam, 8 to 15 percent slope, and Clifford-Hickoryknob complex, 25-45 percent slopes. Both are well-drained, somewhat rocky soils. There is an area of Special Flood Hazard along the shoreline of the Lake, away from all existing and proposed structures. Vegetative/ground cover is primarily wooded with mixed hardwoods and evergreens, and scattered low-growing shrubs and grasses.

**SITE / AREA PHOTOGRAPHS**

**COMPREHENSIVE PLAN:**

Franklin County's Comprehensive Plan identifies this area as appropriate for Low Density Residential uses, intended to allow gross densities of one to two dwellings units per acre and minimum lot sizes of 20,000 - 30,000 square feet in general proximity to residential support services such as schools, playgrounds, and churches. These areas should either be located in or near existing Towns, Villages, or Rural Neighborhood Centers. It is



*Looking into the property from Mallard Point Road*



envisioned that public water and/or sewer will someday serve these areas, meeting all local and state standards and requirements. They should be served by new public roads built by the developer to State standards and dedicated to the State. Recreational facilities and other amenities should be provided.

While low density residential areas are typically comprised of traditional neighborhood developments they may also include manufactured housing, free standing townhomes, patio homes and other similar building types.

*Policies for Low Density Residential*

- 1. All roads should be built to state standards and offered by the developer for inclusion in the state system for maintenance.*
- 2. Lots in new subdivisions abutting County arterial or major collector roads should be provided access onto service or interior roads so as to prevent the stacking of driveways.*
- 3. On site centralized treatment plants to provide public sewer for each subdivision should be encouraged.*
- 4. The density of all new subdivisions to be served by wells and/or septic systems should be determined by the long term carrying capacity of the land. All new lots should have adequate reserve areas in the event of septic system failures.*
- 5. Centralized water systems should be required to provide water to all new subdivisions.*
- 6. All new subdivisions located in prime farmland areas should include adequate buffers to separate residential uses from agricultural operations.*
- 7. Encourage interconnection of residential and commercial developments in order to lessen the traffic loads on arterial roads and provide pedestrian and bicycle linkages.*
- 8. Streets within subdivisions shall be designed to provide interconnections to adjacent vacant land for future subdivision access and circulation.*

**ZONING ORDINANCE:**

Special Uses for the RC-1 District are set forth in Sec. 25-268. The requested use is referenced as “*Home—second single-family detached dwelling on a lot,*” and is governed under the special regulations in Sec. 25-274(a), which states:

*Only one (1) principal building with its customary accessory buildings may be erected or placed on a single building lot; provided, that a second dwelling for use by immediate family may be placed on a residential building lot in the RC-1 district with a special use permit issued by the board of supervisors. Immediate family includes brothers, sisters, grandparents, in addition to the State definition (mother, father, son, daughter, husband, wife).*



Sec. 25-638 of the Zoning Ordinance sets forth the County's authority to issue special use permits for certain uses. The ordinance states that, in order to issue a special use permit, the Board of Supervisors must find that *"such use will not be of substantial detriment to adjacent property, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the purpose and intent of this chapter, with the uses permitted by-right in the zoning district, with additional regulations provided in sections 25-111 through 25-137, supplemental regulations, and amendments, of this chapter, and with the public health, safety, and general welfare."*

Sec. 25-640 of the Zoning Ordinance sets forth the County's authority to impose conditions for the issuance of special use permits. The ordinance states that the Board of Supervisors *"may impose upon any such permit such conditions relating to the use for which such permit is granted as it may deem necessary in the public interest..."* Conditions associated with a special use permit must be related to the particular land use which required the permit, and must be related to some impact generated by or associated with such land use.

Sec. 25-641 of the Zoning Ordinance states that a special use permit shall expire eighteen (18) months from the date of issuance if *"no commencement of use, structure or activity has taken place."* The ordinance states that "commencement" shall consist of "extensive obligations or substantial expenditures in relation to the project," including engineering, architectural design, land clearing, and/or construction.

### **ANALYSIS:**

The applicant has established by means of the accompanying concept plan that the project can meet the applicable standards of the Zoning Ordinance, including setbacks, separation, septic and water availability, access, and utilities. There has been no demonstrated objection to the proposal by the public or other county reviewing agencies.

While the RC1 District is primarily a single-family district, the Special Use process guarantees a guided outcome in cases where second dwelling units on individual lots may be proposed. These homes are specifically prohibited from being occupied, rented, or sold to persons who are not immediate family members of the inhabitants of the primary dwelling on the property. In addition, the procedure allows for review for conformity with adjacent properties and uses in the neighborhood, which includes housing type and density analysis. The Special Use permit process allows that only family members may inhabit the property, and where it may be further demonstrated that overall density will not increase beyond what is normally allowed in the district, and that the character of the



area is reflected in the type of housing that is permitted, it may be concluded that a proposal will not negatively impact the adjoining property owners.

Staff believes that the applicant's request to establish the use of a second single-family dwelling unit on this lot specifically for the housing needs of immediate family members is consistent with Franklin County's 2025 Comprehensive Plan and its policies for areas designated as *Low Density Residential*, and that the petition meets all of the standards and criteria stated in the Zoning Ordinance that govern the issuance of a special use permit.

#### **PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission held a public hearing in consideration of this request at its November 13, 2014, meeting. By vote of 6-0 (Colby absent), the Planning Commission approved the following:

*The Planning Commission recommends that the Board of Supervisors approve this request for Special Use Permit, with the following conditions:*

1. Substantial conformity. *In order to establish the use of "home - second single-family detached dwelling on a lot," the site shall be developed in substantial conformity with the concept plan entitled "LaBrake New Second Dwelling," prepared by Kenneth LaBrake, dated October 5, 2014.*
2. Limitation of use. *A second single-family detached dwelling unit is approved solely for use by immediate family, and shall not be used for the housing needs of non-family members.*
3. Method of construction. *Not more than one (1) of the dwelling units located on this site may consist of a manufactured home.*

#### **SUGGESTED MOTIONS:**

The following suggested motions are sample motions that may be used. They include language found in Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended.

- 1) (APPROVE) I find that the proposal will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare. Therefore I move to approve the petitioner's request for a Special Use Permit for a second single-family dwelling unit to be used for the housing needs of immediate family, in



accordance with Sec. 25-268 and 25-274 of the Zoning Ordinance, with the conditions as recommended by the Planning Commission in the staff memorandum.

**OR**

- 2) (DENY) I find that the proposal is of substantial detriment to adjacent property and that such use will not aid in the creation of a convenient, attractive, or harmonious community. Therefore I move to deny the request for the Special Use Permit.

**OR**

- 3) (DELAY ACTION) I find that the required information for the submitted petition is incomplete. Therefore I move to delay action until all necessary materials are submitted to the Planning Commission.

STATE OF VIRGINIA:

BEFORE THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY:

**RECOMMENDATION:**

A request for a Special Use Permit in the RC-1, Residential Combined Subdivision District for a "home-second single-family detached dwelling on a lot", on a parcel consisting of approximately +/- 2.449 acres located at 1110 Mallard Point Road in the Gills Creek District of Franklin County, identified and recorded as Tax Map # 47.3, Parcel # 20 in the Franklin County Real Estate Tax Records.

TO THE HONORABLE SUPERVISORS OF FRANKLIN COUNTY:

**WHEREAS**, the **petitioner/Kenneth J. LaBrake; owners/Kenneth J. LaBrake and Valerie A. LaBrake**, have filed with the Secretary of the Planning Commission a petition requesting a special use permit for a "home-second single-family detached dwelling on a lot" for the property identified as Tax Map # 47.3, Parcel # 20; and

**WHEREAS**, the petition was entered into the record as Case # SPEC-10-14-13462; and

**WHEREAS**, the petition was referred to the Planning Commission on November 13, 2014, which after due legal notice as required by Section 15.2-2204 and Section 15.2-2205 of the Code of Virginia of 1950, as amended, a public hearing was held on November 13, 2014; and

**WHEREAS**, at that public hearing all parties in interest were afforded an opportunity to be heard; and

**WHEREAS**, the Planning Commission after due consideration, recommended that the special use permit referenced above be **APPROVED with the following conditions:**

1. Substantial conformity. In order to establish the use of "home - second single-family detached dwelling on a lot," the site shall be developed in substantial conformity with the concept plan entitled "LaBrake New Second Dwelling," prepared by Kenneth LaBrake, dated October 5, 2014.
2. Limitation of use. A second single-family detached dwelling unit is approved solely for use by immediate family, and shall not be used for the housing needs of non-family members.
3. Method of construction. Not more than one (1) of the dwelling units located on this site may consist of a manufactured home.

NOW THEREFORE, be it resolved, that the Planning Commission recommends to the Franklin County Board of Supervisors that the above-referenced parcel(s) of land and the Petitioner/Owner(s), be granted the request for a Special Use Permit for a "home-second single-family detached dwelling on a lot" in the RC-1, Residential Combined Subdivision District, subject to the conditions as outlined above.

The above action was adopted on the recommended motion of Mrs. Wendy Ralph, representative for the Union Hall District. The motion was seconded by Mrs. Sherrie Mitchell,

representative of the Snow Creek District of Franklin County. The motion was approved as written above upon the following vote:

AYES: Law, McGhee, Mitchell, Ralph, Doss, Webb

NAYES:

ABSTAIN:

ABSENT: Colby

Bonnie B. Shively Clerk  
Franklin County Planning Commission

Nov. 14. 2014 Date

- > Special use permit is effective immediately after action by the Board of Supervisors
- > Special use permits expire in 18 months if there is no commencement of the use or related activity

**FRANKLIN COUNTY**  
**PETITION/APPLICATION FOR SPECIAL USE PERMIT**  
 (Type or Print)

I/We, Kenneth + Valerie LaBrake, as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Supervisors for a special use permit on the property as described below:

- Petitioners Name: Kenneth LaBrake
- Property Owner's Name: Kenneth J. + Valerie A. LaBrake  
 Phone Number: (804) 241-6460  
 Address: 1110 Mallard Point Rd  
Wirtz, VA Zip: 24184
- Exact Directions to Property from Rocky Mount: Rt 122 E. to Burnt Chimney (Rish)  
Take left onto Mallard Pt Rd, located on left right
- Tax Map and Parcel Number: 0470302000
- Magisterial District: Gills Creek
- Property Information:
  - Size of Property: 2.449 Acres
  - Existing Zoning: BC1
  - Existing Land Use: 1565 sq. feet
  - Is property located within any of the following overlay zoning districts:  
Corridor District Westlake Overlay District Smith Mountain Lake Surface District
  - Is any land submerged under water or part of a lake? Yes ☒ No ☐ If yes, explain.

**7. Proposed Special Use Permit Information:**

- Proposed Land Use: Private Residence
- Size of Proposed Use: 3900 sq. ft. (foot print)
- Other Details of Proposed Use: Add a second dwelling

Checklist for completed items:

- \_\_\_\_\_ Application Form
- \_\_\_\_\_ Letter of Application
- \_\_\_\_\_ List of Adjoining Property Owners and Addresses
- \_\_\_\_\_ Concept Plan
- \_\_\_\_\_ Application Fee

I certify that this application for a special use permit and the information submitted herein is correct and accurate.

Petitioner's Name (Print): Kenneth LaBrake

Signature of Petitioner: *Kenneth LaBrake*

Date: Oct 5, 2014

Mailing Address: 1110 Mallard Point Rd  
Wirtz, Va 24184

Telephone: 804 241 6460

Owner's consent, if petitioner is not property owner:

Owner's Name (Print): \_\_\_\_\_

Signature of Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Date Received by Planning Staff: \_\_\_\_\_

Time: \_\_\_\_\_

Clerk's Initials: \_\_\_\_\_

CHECK #: \_\_\_\_\_

RECPT. #: \_\_\_\_\_

AMOUNT: \_\_\_\_\_

### ADJACENT PROPERTY OWNERS

Adjacent property owners are mailed a notice of the request. Please provide each owner's name and mailing address plus zip code for every property adjacent to the site and directly across from any public right-of-way adjoining the site. Names and addresses are available in the County Real Estate office in the Courthouse.

NAME: J+M Mealy ADDRESS: 1100 Mallard Point Rd

TAX MAP NUMBER: 0330005701 Wintz, VA 24184

NAME: Emily Mass ADDRESS: 111 Trinity Court

TAX MAP NUMBER: 00:0330703100 Lynchburg, VA 24502  
(Board)

NAME: Doretha Saunders ADDRESS: 133 Mapelawn Ave NE

TAX MAP NUMBER: 0330005600 Roanoke, Va 24012

NAME: Boardview Estate P.O. ADDRESS: 170 Windtree Dr

TAX MAP NUMBER: 0330703200 Moneta, Va 24121

NAME: Jeff Mealy ADDRESS: 1100 Mallard Point Rd

TAX MAP NUMBER: 0470302100 Wintz, Va 24184

NAME: Larry + Carol Walker ADDRESS: 1190 Mallard Point Rd

TAX MAP NUMBER: 0470301901 Wintz, VA 24184

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

TAX MAP NUMBER: \_\_\_\_\_

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NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

TAX MAP NUMBER: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

Kenneth Labrake  
1110 Mallard Point Rd.  
Wirtz, Virginia 24184

October 5, 2014

Development Service/Planning & Commun. Development  
1255 Franklin St., St. 103  
Rocky Mount, Virginia 24151

To Whom It May Concern,

I am requesting permission to build a primary residence on my property while still keeping the existing house. Our family has out grown the existing residence and we need to build a more suitable home. We would like to keep the current structure to accommodate aging family members, in the future. The second building should have little to no effect on the surrounding areas.

Thank You.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Labrake", written in a cursive style.

Kenneth Labrake

DATE 10-5-2014

# LABRAKE NEW SECOND DWELLING

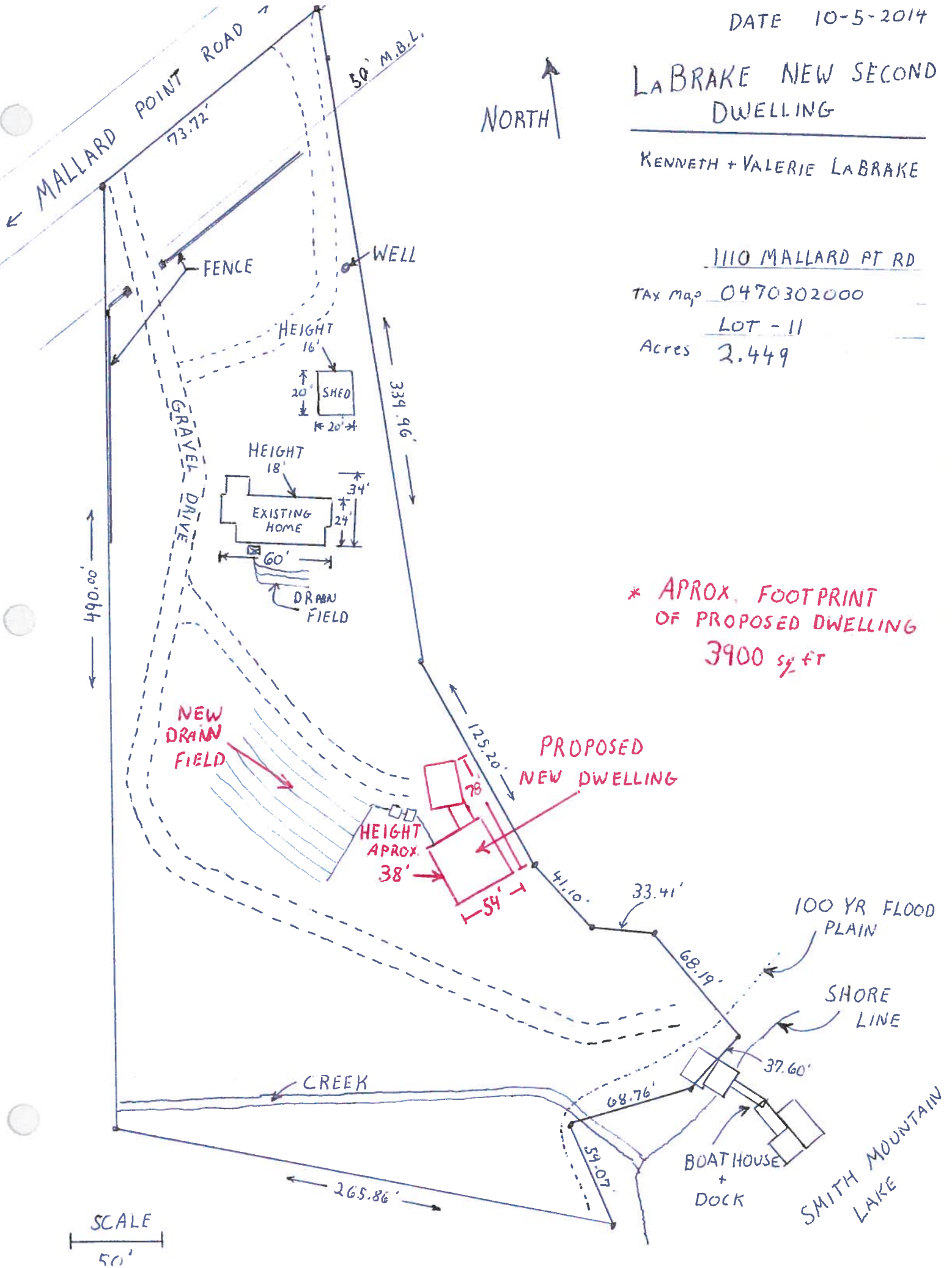
KENNETH + VALERIE LABRAKE

1110 MALLARD PT RD

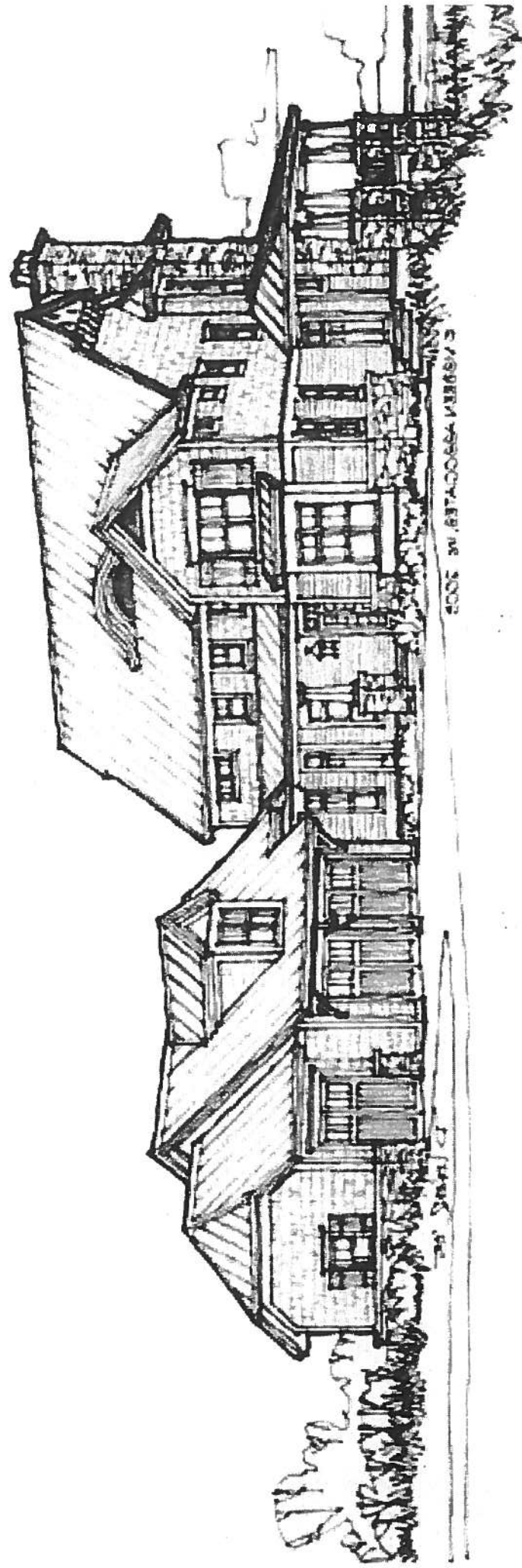
Tax map 0470302000

LOT - 11

Acres 2.449



LA BRAKE PROPOSED SECOND DWELLING



## MEMORANDUM

Case # SPEC-10-14-13467



**To:** Franklin County Board of Supervisors  
**From:** Neil Holthouser, Director of Planning & Community Development  
**Date:** January 20, 2015  
**Tax #s:** 15-64 (#0150006400)  
**District:** Gills Creek District  
**Applicant:** Michael Mazeika, Edward Mazeika, and Theresa Mazeika  
**Owners:** Queens View LLC

### REQUEST:

Petition of **Michael Mazeika, Edward Mazeika, & Theresa Mazeika; Petitioners/Queens View LLC, Owner** requesting a Special Use Permit for a "storage yard" on a +/- 3.25 acre portion of a +/- 64.247-acre parcel, located at 14374 Booker T. Washington Hwy (SR 122) in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate records as Tax Map/Parcel # 0150006400. The subject property is zoned A-1, Agricultural District, which allows a maximum residential density of 1.25 dwelling units per acre. The Future Land Use Map of the Franklin County Comprehensive Plan identifies this area as appropriate for Medium Density Residential uses, with an anticipated residential density of two to four dwelling units per acre. This petition for a Special Use Permit would not result in any additional dwelling units, nor any increase of residential density for this property.

### RECOMMENDATION:

The Planning Commission held a public hearing in consideration of this request at its December 9, 2014, meeting. By vote of 4-2 (Colby, Ralph opposed; Mitchell absent), the Planning Commission approved the following:

*The Planning Commission recommends that the Board of Supervisors approve this request for Special Use Permit for a "Storage yard" with the following condition:*

1. Substantial conformity. *The site shall be developed in substantial conformance to the concept plan for Michael Mazeika, Edward Mazeika and Theresa Mazeika titled "Proposed Concept Plan for Landscape Solutions SML" dated November 24, 2014.*



**BACKGROUND:**

The petitioners are currently operating a landscaping business on leased property on Hwy 122 in the central Westlake area. The business has experienced increased demand and the current location provides no room to expand. The applicants have requested a special use permit in order to relocate their growing business to the property under review.

The subject property is a 3.25 acre portion of a 64.247-acre tract located on Booker T Washington Hwy [SR 122], a public road that connects the Rocky Mount area to Westlake in the northeastern portion of the County, and lies approximately one mile west of the Hales Ford Bridge. The subject parcel and some of the surrounding parcels are vacant, partly wooded lands. Lakewatch Plantation, a large mixed-use development, is directly across the street from the tract. The property is accessed directly from Hwy 122 and currently has an existing entrance that has not been permitted by VDOT for commercial use. The nearest residence to the proposed use is located about 1125 feet northeast of the site (14576 Booker T Washington Hwy).

If the application is approved, the Mazeikas would like to erect a small office trailer and also use the existing 40 x 60 (2400 sf) metal building, as shown on the submitted Concept Plan. There will be outdoor storage areas for mulch, stone, topsoil, and a weighing station. The Concept Plan shows a new entrance to the subject property off of a proposed new access road that adjoins Hwy 122 south of the existing entrance, and appears to continue into the property. The plan also designates landscaped areas and a berm along the Hwy 122 frontage, and plantings around the mulch bins and along the proposed new access road. If approved, the use would require a major site plan to be approved in order to comply with landscaping, stormwater, and erosion & sediment control requirements, to designate parking and storage areas for vehicles, customers, employees and equipment, and to facilitate review for other county agencies and departments for the proposed use.

**SITE STATISTICS:**

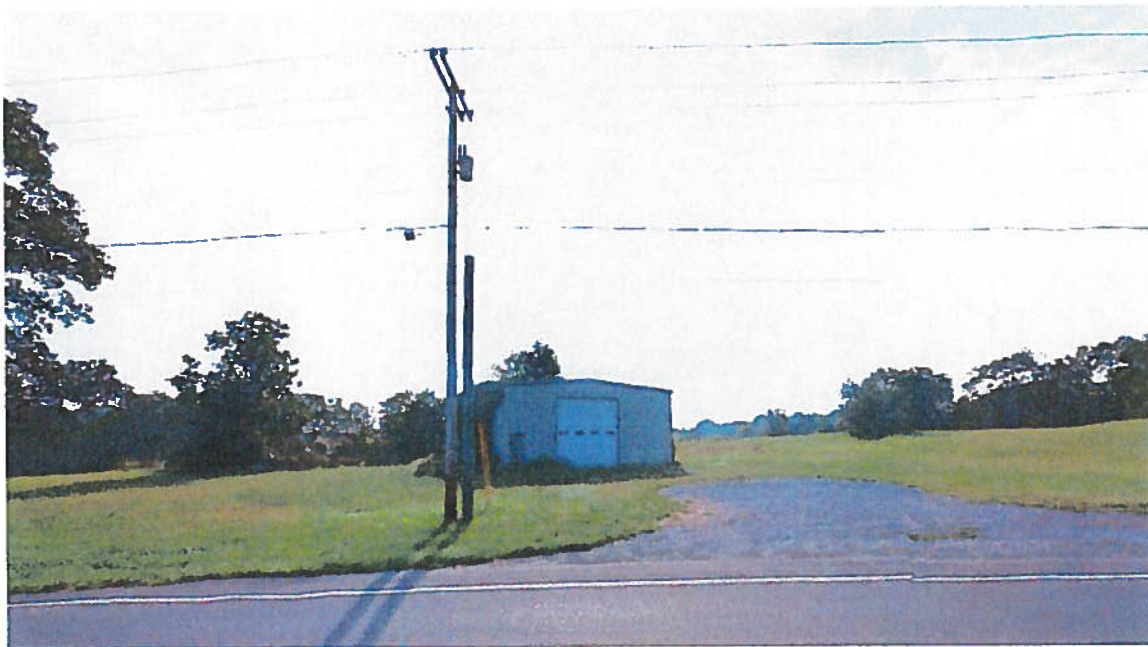
<i>Location:</i>	Across from Lakewatch Drive, approx. 4/10-mile west of the Merriman Way Road/Booker T Washington Hwy intersection in the Gills Creek District.
<i>Size:</i>	+/- 3.25-acre portion of a 64.247-acre tract
<i>Site access:</i>	Booker T Washington Hwy. [SR 122]
<i>Existing Land Use:</i>	Agricultural / Vacant residence
<i>Adjoining Zoning:</i>	A-1, RPD, PCD
<i>Adjoining Land Uses:</i>	Residential, Agricultural, Mixed Use Commercial
<i>Adj. Future Land Uses:</i>	Commercial Highway Corridor



*Geography:*

Level to rolling, cleared land with some established trees and low-growing vegetation. Soils are Clifford fine sandy loam, 15 to 25 percent slopes

**SITE / AREA PHOTOGRAPHS**



*Looking into the site at the existing entrance from Booker T Washington Hwy*



*Two story uninhabited dwelling on the larger parcel*



*Turner Cemetery is at the lower left in the above image, just to the east of the existing metal building on the property*



*Aerial view of the project area and surrounding uses*

**COMPREHENSIVE PLAN:**

The subject property is located in an area identified by Franklin County's Comprehensive Plan as appropriate for Medium Density Residential uses. According to the Plan, Medium Density residential areas will allow for residential support services and gross densities of two to four dwelling units per acre. Medium density residential areas should be located in or near Towns or Villages close to convenience shopping, services, and community facilities. Such developments may also occur near Smith Mountain Lake.

*Policies for Medium Density Residential*

1. *Residential development should accommodate the natural landscape, preserve trees and vegetation, consider solar access in siting, and provide for an efficient, and visually pleasing residential environment.*
2. *Lot design should reflect topography, natural boundaries and features, and other physical characteristics.*
3. *Diversity of building design is encouraged within development areas.*
4. *Lots in new subdivisions abutting County arterial or major collector roads should be provided access onto service or interior roads so as to prevent the stacking of driveways.*
5. *Establish density incentives for locating multi-family dwellings, townhouses, and manufactured housing areas close to Towns and communities with schools, services, and facilities that support such densities.*
6. *On site centralized treatment plants to provide public sewer for each subdivision should be encouraged.*
7. *Centralized water systems should be required to provide water to all new subdivisions.*
8. *All new subdivisions located in prime farmland areas should include adequate buffers to separate residential uses from agricultural operations.*
9. *Encourage interconnection of residential and commercial developments in order to lessen the traffic loads on arterial roads and provide pedestrian and bicycle linkages.*
10. *Streets within subdivisions shall be designed to provide interconnections to adjacent vacant land for future subdivision access and circulation.*

Staff believes that the use described in this petition (storage yard for the sale of landscape materials) is generally not consistent with the uses envisioned by the Comprehensive Plan for areas of Medium Density residential uses. Staff acknowledges that a significant market demand exists in the Westlake / Smith Mountain Lake area for landscape materials, due to the relatively high concentration of residential development in this area. However, staff would typically recommend that storage yards for landscape materials be located either: a) in more rural areas, where rural residential densities prevail and the storage yard is located on a site sufficient in size to provide adequate buffering and screening; or b) in a well-planned and controlled village or commercial center, where other services and conveniences are provided, and where the storage yard can be visually screened and integrated with other commercial uses.



**ZONING ORDINANCE:**

Pursuant to Sec 25-179 of the Franklin County Zoning Ordinance, a Special Use Permit is required for approval of the use of a "Storage yard" in the A-1 Zoning District.

The Zoning Ordinance offers the following definition for "Storage yard": *A space or place for storing materials that is unoccupied and unobstructed from the ground upward, except for the material being stored; provided, however than no material shall be stored within yards or setback areas required by other sections of this Zoning Ordinance.*

Special Use Permits are governed by the procedures and requirements set forth in Sec. 25-110, 25-111, and Sec 25-638 – 25-645 of the Franklin County Zoning Ordinance.

Sec. 25-638 of the Zoning Ordinance sets forth the County's authority to issue special use permits for certain uses. The ordinance states that, in order to issue a special use permit, the Board of Supervisors must find that *"such use will not be of substantial detriment to adjacent property, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the purpose and intent of this chapter, with the uses permitted by-right in the zoning district, with additional regulations provided in sections 25-111 through 25-137, supplemental regulations, and amendments, of this chapter, and with the public health, safety, and general welfare."*

Sec. 25-640 of the Zoning Ordinance sets forth the County's authority to impose conditions for the issuance of special use permits. The ordinance states that the Board of Supervisors *"may impose upon any such permit such conditions relating to the use for which such permit is granted as it may deem necessary in the public interest..."* Conditions associated with a special use permit must be related to the particular land use which required the permit, and must be related to some impact generated by or associated with such land use.

Sec. 25-641 of the Zoning Ordinance states that a special use permit shall expire eighteen (18) months from the date of issuance if *"no commencement of use, structure or activity has taken place."* The ordinance states that "commencement" shall consist of "extensive obligations or substantial expenditures in relation to the project," including engineering, architectural design, land clearing, and/or construction.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission held a public hearing in consideration of this request at its December 9, 2014, meeting. By vote of 4-2 (Colby, Ralph opposed; Mitchell absent), the Planning Commission approved the following:

*The Planning Commission recommends that the Board of Supervisors approve this request for Special Use Permit for a "Storage yard" with the following condition:*



1. Substantial conformity. *The site shall be developed in substantial conformance to the concept plan for Michael Mazeika, Edward Mazeika and Theresa Mazeika titled "Proposed Concept Plan for Landscape Solutions SML" dated November 24, 2014.*

**SUGGESTED MOTIONS:**

The following suggested motions are sample motions that may be used. They include language found in Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended.

- 1) (APPROVE) I find that the proposal will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare. Therefore I move to approve the petitioner's request for a Special Use Permit for "Storage yard," with the condition recommended by Planning Commission, in accordance with Sec. 25-179 of the Zoning Ordinance.

**OR**

- 2) (DENY) I find that the proposal is of substantial detriment to adjacent property and that such use will not aid in the creation of a convenient, attractive, or harmonious community. Therefore I move to deny the request for the Special Use Permit.

**OR**

- 3) (DELAY ACTION) I find that the required information for the submitted petition is incomplete. Therefore I move to delay action until all necessary materials are submitted to the Planning Commission.

STATE OF VIRGINIA:

BEFORE THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY:

**RECOMMENDATION:**

A request for a Special Use Permit in the A-1, Agricultural District for "storage yard", on a +/-3.25 acre parcel (a portion of 64.247 acres) located at 14374 Booker T. Washington Highway (SR 122) in the Gills Creek District of Franklin County, identified and recorded as Tax Map/Parcel #0150006400 in the Franklin County Real Estate Tax Records.

TO THE HONORABLE SUPERVISORS OF FRANKLIN COUNTY:

**WHEREAS**, the **petitioner or contract purchaser/Michael Mazeika, Edward Mazeika and Theresa Mazeika; owner/Denise Queen, Queens View LLC**, have filed with the Secretary of the Planning Commission a petition requesting a special use permit for a "storage yard", for the property identified as Tax Map/Parcel #0150006400; and

**WHEREAS**, the petition was entered into the record as Case # SPEC-10-14-13467; and

**WHEREAS**, the petition was referred to the Planning Commission on December 9, 2014, which after due legal notice as required by Section 15.2-2204 and Section 15.2-2205 of the Code of Virginia of 1950, as amended, a public hearing was held on December 9, 2014; and

**WHEREAS**, at that public hearing all parties in interest were afforded an opportunity to be heard; and

**WHEREAS**, the Planning Commission after due consideration, recommended that the special use permit referenced above be **APPROVED with conditions**:

**Case # SPEC-10-14-13467**

1. Substantial Conformity - The site shall be developed in substantial conformance to the concept plan for Michael Mazeika, Edward Mazeika and Theresa Mazeika titled "Proposed Concept Plan for Landscape Solutions SML" dated November 24, 2014.

NOW THEREFORE, be it resolved, that the Planning Commission recommends to the Franklin County Board of Supervisors that the above-referenced parcel(s) of land and the Petitioner/Owner(s), be approved with the above mentioned condition the request for a Special Use Permit for "storage yard" in the A-1, Agricultural District.

The above action was adopted on the recommended motion of Mr. Edmund Law, representative of the Rocky Mount District. The motion was seconded by Mrs. Angie

McGhee, representative for the Boone District of Franklin County. The motion was approved as written above upon the following vote:

AYES: Law, Doss, Webb, McGhee

NAYES: Colby, Ralph

ABSTAIN:

ABSENT: Mitchell

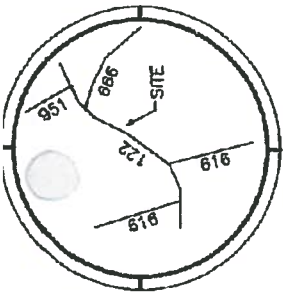
Bonnie B. Shively Clerk  
Franklin County Planning Commission

Dec. 10, 2014 Date

# Proposed Concept Plan for Landscape Solutions SML

For Applicant: Michael Mazeika 11-24-14

3.250 acres  
Tax map No. 0150006400



LOCATION MAP



- > Special use permit is effective immediately after action by the Board of Supervisors
- > Special use permits expire in 18 months if there is no commencement of the use or related activity

**FRANKLIN COUNTY**  
**PETITION/APPLICATION FOR SPECIAL USE PERMIT**  
 (Type or Print)

I/We, Michael, Edward + Theresa Mazeika as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Supervisors for a special use permit on the property as described below:

1. Petitioners Name: Michael, Edward + Theresa Mazeika
2. Property Owner's Name: Denise Queen / Queens View LLC  
 Phone Number: 304-687-1815  
 Address: P.O. BOX 733  
Holden WV 25625 Zip: \_\_\_\_\_
3. Exact Directions to Property from Rocky Mount: Rt. 40 E to Rt. 122 N
4. Tax Map and Parcel Number: D150006400
5. Magisterial District: GC
6. Property Information:
  - A. Size of Property: 3.25 acres
  - B. Existing Zoning: A1
  - C. Existing Land Use: garage, hay, cattle
  - D. Is property located within any of the following overlay zoning districts:  
 \_\_\_ Corridor District \_\_\_ Westlake Overlay District \_\_\_ Smith Mountain Lake Surface District
  - E. Is any land submerged under water or part of a lake? Yes (No) If yes, explain.  
 \_\_\_\_\_  
 \_\_\_\_\_
7. Proposed Special Use Permit Information:
  - A. Proposed Land Use: Nursery, Garage, Storage yard
  - B. Size of Proposed Use: 3.25 AC
  - C. Other Details of Proposed Use: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Checklist for completed items:

- ☒ Application Form
- ☒ Letter of Application
- ☒ List of Adjoining Property Owners and Addresses
- ☒ Concept Plan
- ☐ Application Fee 266.25

I certify that this application for a special use permit and the information submitted herein is correct and accurate.

Petitioner's Name (Print): Michael J. MAZEIKA

Signature of Petitioner: \_\_\_\_\_

Date: 9-29-14

Mailing Address: P.O. Box 687  
Hardy VA 24101

Telephone: 540-526-5296

Owner's consent, if petitioner is not property owner:

Owner's Name (Print): Denise Queen

Signature of Owner: Denise Queen

Date: 9-27-14

Date Received by Planning Staff: \_\_\_\_\_

Time: \_\_\_\_\_

Clerk's Initials: \_\_\_\_\_

CHECK #: \_\_\_\_\_

RECPT. #: \_\_\_\_\_

AMOUNT: \_\_\_\_\_

### ADJACENT PROPERTY OWNERS

Adjacent property owners are mailed a notice of the request. Please provide each owner's name and mailing address plus zip code for every property adjacent to the site and directly across from any public right-of-way adjoining the site. Names and addresses are available in the County Real Estate office in the Courthouse.

NAME: John T Wessel ADDRESS: 70 Lake Forrest Terrace

TAX MAP NUMBER: 0150006402 Moneta VA 24121

NAME: James + Charlotte Turner ADDRESS: 11909 Bluebird Lane

TAX MAP NUMBER: 0150006200 Catharpin VA 20143

NAME: Lakeview Resolution Co LLC ADDRESS: 2601 Promenade Parkway

TAX MAP NUMBER: 0300002000 midlothian VA 23113

NAME: Stanley Rowe ADDRESS: 160 Periwinkle Rd

TAX MAP NUMBER: 0150006401 Moneta VA 24121  
0300002100

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

TAX MAP NUMBER: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

TAX MAP NUMBER: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

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TAX MAP NUMBER: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

TAX MAP NUMBER: 0150006400

**CONCEPT PLANS  
RESIDENTIAL, BUSINESS AND INDUSTRIAL DISTRICTS  
NECESSARY CONTENTS**

***Purpose of a Concept Plan:***

A concept plan is necessary for all special use permit applications. The purpose of the concept plan is to provide applicable information on site conditions and a general understanding of the proposed use of a property. Typically, a concept plan contains information on the property such as the property address, parcel boundaries, adjacent roads, natural features (including water courses) and neighboring properties. A concept plan also includes the locations of any proposed buildings, parking, streets, community facilities, buffering or screening, boat docks, signs, and lighting, as well as the proposed densities of development.

***Concept Plan versus Site Development Plan:***

A concept plan is not the same as a site development plan, which is more detailed to ensure compliance with development regulations and obtain construction permits. A concept plan may be the first step in creating a site development plan. It is important to note that approval of a special use permit with a concept plan does not mean that a site development plan is or will be approved.

***Concept Plan Necessary Contents:***

- Project title, name of applicant, project engineer/architect/surveyor/planner
- Plan date
- ~~✗~~ ➤ North arrow and graphic scale
- Size of entire parcel and, if applicable, size of portion of parcel requested for rezoning, accompanied by meets and bounds description
- Adjacent streets, railroads, natural features, historic sites, streams or bodies of water, floodplains, and other information that may help describe site conditions
- ➤ Locations, dimensions, and heights of all existing structures and those proposed
- Location and dimensions of proposed pedestrian and vehicular access points, driveways, parking areas/spaces and other facilities
- Natural areas or historic sites to be preserved
- Location and description of existing vegetation or any landscaping, screening or buffering proposed within the lot or along the perimeter of the development
- ~~✗~~ ➤ Location of proposed signs, including type, size and height
- Lighting information, if applicable

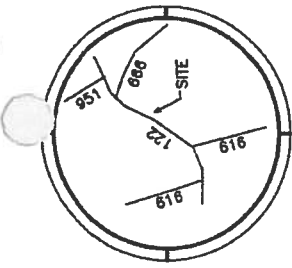
5'10"  
11'4" wide

- Building elevations or renderings of the proposed development, if available
- Accessory use information such as the location of storage yards, recreation spaces, refuse collection areas, septic drain fields, wells or water tank locations, etc
- Number, type and size of dwellings proposed, and the residential density per acre
- Number and square footage of retail and office uses proposed
- Location, size and type of recreational amenities, parking facilities, and utility information
- Other items that may be recommended by staff
- Recommended plan size 8.5" x 11" minimum or 11" x 17" maximum. The plan must be legible. The applicant must provide 35 copies of the plan for distribution to Planning Commission and Board of Supervisors.

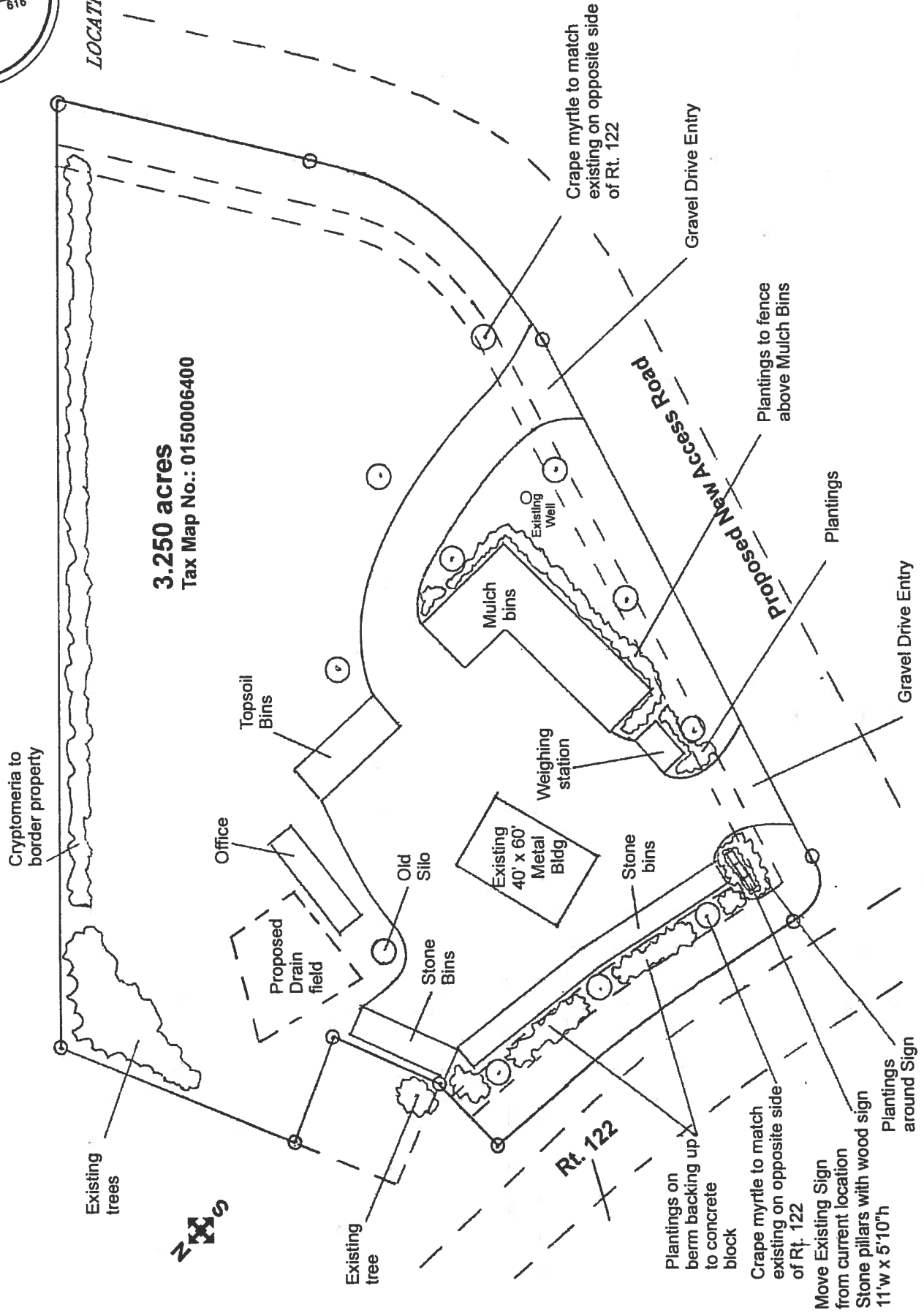
**NOTE: IF YOU ARE PLANNING A PRESENTATION AT THE PUBLIC HEARINGS FOR THE PLANNING COMMISSION AND BOARD OF SUPERVISORS, EITHER BRING A 8 ½ X 11 SIZE PAGE OF YOUR PRESENTATION TO SHOW ON THE OVERHEAD PROJECTOR OR PUT ON A CD TO SHOW ON THE POWERPOINT SYSTEM.**

# Proposed Concept Plan for Landscape Solutions SML

For Applicant: Michael Mazeika 10-6-14



LOCATION MAP





Cell phone: 540-526-LAWN(5296)  
Mulch yard phone: 540-397-SOIL(7645)  
Email: LandscapeSolutionsSML@yahoo.com  
P.O. Box 687, Hardy, VA 24101

Dear Sirs:

In 2003, I started Landscape Solutions SML as a landscape and hardscape service in the Franklin and Bedford County areas.

In 2004, I made the purchase of a mulch blower because I found there was a high demand for mulch application and the mulch blower helped me reach the steep slopes and hard to access areas thus satisfying my customers who wanted to beautify their yards that surround Smith Mountain Lake.

In 2011 with a growing demand to expand, I rented one acre located on Rt. 122 and Enterprise Lane to meet the demands of my customers. Not only did my customers want to use my services but now they were also asking for product such as stone for rip rapping, gravel for driveways and nutrient-rich topsoil for better lawns that helped with their erosion problems. Customers also appreciate that we are centrally located in the Westlake district.

I am applying for the Special Use Permit so that I may have the opportunity to better serve my customers in the Westlake district. I will be able to do this because:

1. I would have more space on 3.25 acres to expand my product line to include nursery stock.
2. With more room, I will be able to design the site to have a more appealing and attractive presence from the road.
3. More room will also allow us to store our products of mulch, topsoil and stone with an obscured view from the road.
4. I will have a well and/or public water for our nursery stock as well as provide rest room facilities for my employees and customers.
5. This new space provides an existing 40' x60' garage where I can store my equipment and trucks out of sight from the main road. It also allows me to work year-round to maintain my equipment and trucks.
6. The mobile home will provide an office with heat and restroom. Our current office shed has a space heater and no facilities.

Because this property is already setup to accommodate our landscape business, there will be very little change needed to make this site ready for our existing business. We are committed to making this site attractive and fit in with the surrounding community.

Thank you for your consideration.

Sincerely,

Michael J. Mazeika



7

**FRANKLIN COUNTY**  
**Board of Supervisors**



**EXECUTIVE SUMMARY**

<b><u>AGENDA TITLE:</u></b> 2015 Red Truck Event Center; request for special entertainment permit	<b><u>AGENDA DATE:</u></b> January 20, 2015	<b><u>ITEM NUMBER:</u></b>
<b><u>SUBJECT/PROPOSAL/REQUEST:</u></b> Request by Adam Ritchie, Red Truck Event Center, to hold a series of outdoor entertainment events on property located at the intersection of Hopkins Road and Coles Creek Road, further identified as Franklin County Tax Map/Parcel #62-16; #62-24.4; and #62-25.1.	<b><u>ACTION:</u></b>	<b><u>INFORMATION:</u></b>
<b><u>STRATEGIC PLAN FOCUS AREA:</u></b>	<b><u>CONSENT AGENDA:</u></b>	
<b><u>Action Strategy:</u></b> N/A	<b><u>ACTION:</u></b>	
<b><u>STAFF CONTACT(S):</u></b> Mr. Neil Holthouser & Mrs. Tudor	<b><u>INFORMATION:</u></b>	
	<b><u>ATTACHMENTS:</u></b> YES	
	<b><u>REVIEWED BY:</u></b> RET	

Franklin County has received a request by the Red Truck Events Center, represented by Mr. Adam Ritchie, to hold a series of outdoor events on a 68-acre property located at the intersection of Hopkins Road and Coles Creek Road, further identified as Franklin County Tax Map/Parcel #62-16, #62-24.4, and #62-25.1. The property is owned by W&H Enterprises, Inc. of Roanoke. Mr. Ritchie has an agreement to lease the property. The property is located in a non-zoned area in the Blackwater District of Franklin County.

Mr. Ritchie is requesting approval from the Board of Supervisors to hold outdoor events consisting of games (billed as the "Hillbilly Olympics"), a 5-kilometer run, motorcycle/ATV trail riding, and live music, on the following dates:

**(See Attached Listing for Scheduled Events)**

Chapter 3, Article III of the Franklin County Code sets forth the requirements for "Outdoor Musical or Entertainment Festivals." Outdoor music or entertainment festivals are defined as:

*...any gathering or group of individuals for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open spaces and not within an enclosed structure and either admission is charged or refreshments or other concessions are sold.*

Under the provisions of Chapter 3, Article III, such events require a permit to be issued by the Board of Supervisors. In addition, the event(s) must be planned and conducted in accordance with a series of regulations and standards related to traffic, safety, sanitation, crowd control, etc. Mr. Ritchie has submitted an application which has been routed to various County agencies to review for compliance.

As of this writing, staff is satisfied that the events have been planned in accordance with ordinance standards. Staff will continue to monitor the site and events for compliance.

**RECOMMENDATION:**

Staff respectfully requests Board approval for the 2015 Special Entertainment Permit for the Red Truck Event Center, as presented. The \$100 permit fee has been received and deposited, per attached receipt. The Board set the bond for this event during 2014 at \$10,000, therefore, staff is requesting for the same bond amount for 2015, due to zero claims being filed.



# Franklin County

## APPLICATION FOR A SPECIAL ENTERTAINMENT PERMIT

(Completed applications are due in the County Administrator's Office sixty (60) days prior to the event)

\$100.00  
⑦  
shd  
pd. cash

DATE SUBMITTED: 1-14-15

NAME OF APPLICANT: Adam Ritchie (Red Truck Event Center)

COMPLETE MAILING ADDRESS: 425 Teresa Ln  
Roanoke Va 24019

TELEPHONE NUMBER: \_\_\_\_\_

CELL PHONE NUMBER: 410-271-3897

EMAIL ADDRESS: RedTruckEventCenter@gmail.com

NAME OF PROMOTER: Adam Ritchie

COMPLETE MAILING ADDRESS: 425 Teresa Ln  
Roanoke Va 24019

TELEPHONE NUMBER: \_\_\_\_\_

CELL PHONE: 410-271-3897

- Discuss the means by which the Festival will be financially supported:  
Ticket Sales + Sponsors
- Please describe the exact location of the proposed Festival including the tax map and parcel location of the property: 3360 Cokes Creek Rd Rocky mount Va 24151
- Please list the names and addresses of the owners of the property on which the event is to be held:  
Red Truck Event Center has long term lease of property.
- Please list the dates for which the permit is to be issued and alternative rain date(s).  
Please see attached for full list.  
April 25th -
- Discuss the nature and interest of the Applicant in the property on which the Festival is to be held (if any).  
Red Truck Event Center has a long term lease on the property.
- List persons or groups who will be performing:  
local bands,
- Outline your plans for the provision of the following:
  - Sanitation Facilities: Port-a-potties
  - Garbage, Trash & Sewage Disposal: Trash Cans placed throughout + Dumpster
  - Food, Water & Lodging: Food Trucks No lodging

APPROVED: \_\_\_\_\_


Franklin County Health Department

Date

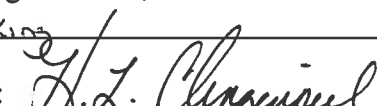
1/14/2015

d. Medical Services & Facilities: \_\_\_\_\_

e. Fire Protection: \_\_\_\_\_

APPROVED:  FMO 13 JAN 15  
Public Safety Official Date

f. Parking Facilities, Crowd Control & Traffic Control in and around the Festival Area: On Site

Parking  
APPROVED:  Sheriff's Department 01/13/15  
Date

8. Are outdoor lights or lighting to be used? Yes ☒ No ☐ If yes, present a sketch showing the location of such lights and shielding devices or other equipment to prevent unreasonable glow beyond the point where the property is located. Also, indicate plans to insure compliance with the National Electrical Code.

Stage is placed at the bottom of 2 hills to reduce sound.

APPROVED:  1/14/15  
Franklin County Building Official Date

9. Will music be played either by mechanical devices or live performance in such a manner that the sound emanating will be unreasonably audible beyond the property on which the festival is located? If so, what measures will be used to curtail unreasonable sound levels?

Stage is placed at the bottom of 2 hills to block sound.

10. What is the best estimate of the expected attendance at this proposed festival? See Attached

11. What is the basis for your estimate?

last years Attendance

12. Attach a copy of the badge of admission and/or ticket used for entry into the festival (**note that the badge or ticket must clearly state the time and date of the festival**).

13. Outline your plans for any advertising to be done to promote the festival: Radio, Flyers, Social media



# Franklin County

A Nation Setting for Opportunity

14. I, Adam Ritchie, hereby certify that on the dates of the proposed music or entertainment festival not more than a total of 2006 tickets will be offered for sale. I further grant permission for the Board of Supervisors of Franklin County, its lawful agents, or duly constituted law enforcement officers to enter the property at any time for the purpose of determining compliance with the provisions of the Franklin County Code. I recognize that the Board of Supervisors of Franklin County shall have the right to revoke any permit issued upon noncompliance with any of its provisions or conditions.

Applicant Name: Adam Ritchie

Applicant: [Signature]  
Signature

1.18.2015  
Date

Applicant Name: \_\_\_\_\_

Applicant: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

COMMONWEALTH OF VIRGINIA

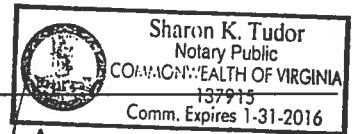
COUNTY OF FRANKLIN, to-wit:

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Whose name is signed to the foregoing instrument, personally appeared before me, acknowledged the foregoing signature to be his/hers, and made oath that the statements are true.

My Commission expires: \_\_\_\_\_

[Signature]  
Notary Public



## SHERIFF'S CERTIFICATION:

I hereby certify that on the dates of the proposed music or entertainment festival, and under the circumstances described by the promoter of the event, that adequate crowd control and security will be provided and I hereby convey approval of the promoter's plan for security.

Signature: [Signature]  
Sheriff of County of Franklin

01/13/15  
Date

Estimate number of deputies or security officers to be provided: \_\_\_\_\_



# Franklin County

*"Natural Setting for Opportunities"*

## FOR OFFICE USE ONLY

Date application received: 1.14.2015  
(Requirement 21 days prior to Board meeting and 60 days prior to festival)

Next Board Meeting Date: 1.20.2015

Date forwarded to the Board: \_\_\_\_\_

Date approved by the Board: \_\_\_\_\_

Date forwarded to the Health Department: \_\_\_\_\_

Bond Amount required: \_\_\_\_\_ (Not to exceed \$100,000)

Date to be Received by this office: \_\_\_\_\_  
(10 days prior to the festival)

Date delivered to the Treasurer: \_\_\_\_\_

Date to be returned to Promoter: \_\_\_\_\_  
(15 days after festival)

Claims to be filed by: \_\_\_\_\_  
(12 days after festival)

## Claim Summary:

Name	Address	Phone	Date Filed	Loss Amount

Fee Paid to Commissioner on: \_\_\_\_\_ Amount: \_\_\_\_\_

## SECTION 3-80. APPLICANT'S BOND (TO BE ADDED TO THE END OF SECTION 3-80 PARAGRAPH)

In the event that the applicant has conducted an outdoor musical or entertainment festival pursuant to Section 3-56 et.seq. of the Franklin County Code for three consecutive years immediately prior to the year in which application is made with no claims being made against applicant by the County or other persons pursuant to Section 3-80(b) of the Franklin County Code as verified by the County Administrator and the Sheriff of Franklin County, the Board of Supervisors may allow the bond required by Section 3-80 of the Franklin County Code or some part thereof to be a real property bond posted by the applicant or his/her surety according to and on forms provided and approved by the County.

## Red Truck Event Center Events 2015

March 28<sup>th</sup>, 2015 Mud Bog  
Number of people Approx 400 Attendance

April 11<sup>th</sup>, 2015 Mud Bog  
Number of people Approx 400 Attendance

April 25<sup>th</sup>, 2015 Gladiator 5k Run Angels of Assisi  
Number of people Approx 500 Attendance

May 2<sup>nd</sup>, 2015 Hillbilly Games  
We will hold a small mud bog along with the 2015 Hillbilly Games  
Approx 500 people Attendance

May 16<sup>th</sup>, 2015 Music Festival  
Local Band, Food Venders, Approx 500 Attendance

May 23<sup>rd</sup>, 2015 Mud Bog  
Approx 400 Attendance

June 13<sup>th</sup>, 2015 Night Summer Kickoff 5k Run  
Approx 500 Attendance

June 20<sup>th</sup>, 2015 Mud Bog  
Approx 400 Attendance

July 11<sup>th</sup>, 2015 5K Run  
Approx 500 Attendance

July 18<sup>th</sup>, 2015 Mud Bog  
Approx 400 Attendance

Aug 22<sup>nd</sup>, 2015 Mud Bog  
Approx 400 Attendance

Sept 12, 2015 YMCA 5K Run  
Approx 500 Attendance

Sept 19, 2015 Mud Bog  
Approx 400 Attendance

Haunted Trails  
OCT 2,3,9,10,16,17,23,24,30,31  
Approx 300 per night  
Runs Friday and Sat evenings Dark to 11pm

Nov 21<sup>st</sup>, 2015 Turkey Dash 5k  
Approx 500

RECEIPT

DATE	1.14.2015	No.	392567
RECEIVED FROM	Adam Richie	\$100.00	
2015 fee for Special Court			DOLLARS
<input type="radio"/> FOR RENT <input type="radio"/> FOR			
ACCOUNT	100.00	<input checked="" type="radio"/> CASH	FROM _____ TO _____
PAYMENT	100.00	<input type="radio"/> MONEY ORDER	
BAL. DUE		<input type="radio"/> CHECK	BY <i>[Signature]</i>
		<input type="radio"/> CREDIT CARD	

Franklin County Treasurer  
 1255 Franklin Street  
 Suite 101  
 Rocky Mount  
 Virginia, 24151  
 Phone - (540) 483-3078  
 Fax - (540) 483-3080

1/14/2015 12:23 PM Cashier 0003  
 T/Ref 1010050813 Reg 1010 Tran No 6269  
 Cash Report: 150114-01 for 1/14/2015

02 - Franklin County  
 Treasurer Susan J. Wray

COUNTY BUSINESS LICENSES  
 Validation Number: 195107 \$100.00  
 =====  
 Total \$100.00  
 Cash (\$100.00)

Thank You for Your Payment.